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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God, creator of us all, during this season of goodwill, bring peace to this

Chamber. Make strong in the hearts of all our Senators what unites them. Build bridges across all that divides them, so that they will respect their differences while working together to keep our Nation secure. Remove the divisions that drive wedges of rancor between them, and lead them away from the confrontational to a concord that seeks mutual progress. May this unity

not be obtained at the price of compromising truth, but by the devotion with which each lawmaker passionately loves this Nation and sincerely seeks to keep it strong and free.

Today, let truth prevail over distortion, wisdom triumph over recklessness, and faith vanquish fear.

We pray in Your merciful Name. Amen.

NOTICE

If the 111th Congress, 2d Session, adjourns sine die on or before December 23, 2010, a final issue of the *Congressional Record* for the 111th Congress, 2d Session, will be published on Wednesday, December 29, 2010, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT-59 or S-123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Wednesday, December 29. The final issue will be dated Wednesday, December 29, 2010, and will be delivered on Thursday, December 30, 2010.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at <http://clerk.house.gov/forms>. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT-59.

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By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman*.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The bill clerk read as follows:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, Senator ALEXANDER will be recognized to speak in morning business for up to 10 minutes. Following his remarks, the Senate will resume consideration of the House message with respect to H.R. 3082, the continuing resolution. There will be 10 minutes of debate for Senator INOUE and 15 minutes for Senator MCCAIN prior to that vote. Therefore, Senators should expect a vote to begin about 10:15 on the motion to invoke cloture on the motion to concur to the House amendment to the Senate amendment to H.R. 3082, with amendment No. 4885, which is the text of the continuing resolution that funds the government through March 4, 2011.

If cloture is invoked, I will work with the Republican leader on a time to complete action on the CR. It is important to send it over to the House very quickly so they have sufficient time to pass it before funding runs out this evening at midnight.

Upon disposition of the CR, the Senate will proceed to vote on the motion to invoke cloture on the New START treaty.

Last week, we were able to lock in a time agreement to consider two district judge nominations. It is my hope we will be able to debate and vote on those judges this afternoon.

Senators will be notified when any votes are scheduled.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Tennessee is recognized in morning business for up to 10 minutes.

NEW START TREATY

Mr. ALEXANDER. Madam President, I will vote to ratify the New START treaty between the United States and Russia because it leaves our country with enough nuclear warheads to blow any attacker to kingdom come and be-

cause the President has committed to an \$85 billion 10-year plan to make sure those weapons work. I will vote for the treaty because it allows for inspection of Russian warheads and because our military leaders say it does nothing to interfere with the development of a missile defense system.

I will vote for the treaty because the last six Republican Secretaries of State support its ratification. In short, I am convinced that Americans are safer and more secure with the New START treaty than without it. Last week, I joined Senators INOUE, COCHRAN, and FEINSTEIN in a letter to the President stating that we will vote to ratify the treaty and to appropriate funds to modernize our outdated nuclear weapons facilities and that he, the President, requests those funds in his budget.

Last night, I received a response to the President saying he would do so. I ask unanimous consent to have printed both letters in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, December 16, 2010.
THE WHITE HOUSE,
1600 Pennsylvania Avenue, NW,
Washington, DC.

DEAR MR. PRESIDENT: We are writing to express our support for ratification of the New START Treaty and full funding for the modernization of our nuclear weapons arsenal, as outlined by your updated report that was mandated by Section 1251 of the Defense Authorization Act for Fiscal Year 2010.

We also ask that, in your future budget requests to Congress, you include the funding identified in that report on nuclear weapons modernization. Should you choose to limit non-defense discretionary spending in any future budget requests to Congress, funding for nuclear modernization in the National Nuclear Security Agency's proposed budgets should be considered defense spending, as it is critical to national security and, therefore, not subject to such limitations. Further, we ask that an updated 1251 report be submitted with your budget request to Congress each year.

We look forward to working with you on the ratification of the New START Treaty and modernization of the National Nuclear Security Agency's nuclear weapons facilities. This represents a long-term commitment by each of us, as modernization of our nuclear arsenal will require a sustained effort.

Sincerely,

DANIEL INOUE.
DIANNE FEINSTEIN.
THAD COCHRAN.
LAMAR ALEXANDER.

THE WHITE HOUSE,
Washington DC, December 20, 2010.
Hon. LAMAR ALEXANDER,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALEXANDER: Thank you for your letter regarding funding for the modernization of the nuclear weapons complex and for your expression of support for ratification of the New START Treaty.

As you know, in the Fiscal Year 2011 budget, I requested a nearly 10 percent increase in the budget for weapons activities at the National Nuclear Security Administration (NNSA). In May, in the report required by

Section 1251 of the National Defense Authorization Act for Fiscal Year 2010, I laid out a 10 year, \$80 billion spending plan for NNSA. The Administration submitted an update to that report last month, and we now project over \$85 billion in spending over the next decade.

I recognize that nuclear modernization requires investment for the long-term, in addition to this one-year budget increase. That is my commitment to the Congress—that my Administration will pursue these programs and capabilities for as long as I am President.

In future years, we will provide annual updates to the 1251 report. If a decision is made to limit non-defense discretionary spending in any future budget requests, funding for nuclear modernization in the NNSA weapons activities account will be considered on the same basis as defense spending.

In closing, I thought it important for you to know that over the last two days, my Administration has worked closely with officials from the Russian Federation to address our concerns regarding North Korea. Because of important cooperation like this, I continue to hope that the Senate will approve the New START Treaty before the 111th Congress ends.

Sincerely,

BARACK OBAMA.

Mr. ALEXANDER. Madam President, why are these two so necessarily linked—the treaty and the plan for nuclear weapons modernization? The answer is, if we are going to reduce our number of warheads, we want to make sure we are not left with what amounts to a collection of wet matches. Defense Secretary Gates said:

There is absolutely no way we can maintain a credible deterrent and reduce the number of weapons in our stockpile without either resorting to testing our stockpile or pursuing a modernization program.

In a November 24 statement, Senators KYL and CORKER said they “could not support reductions in U.S. nuclear forces unless there is adequate attention to modernizing those forces and the infrastructure that supports them.”

Senators KYL and CORKER deserve credit for untiring efforts to fund properly nuclear modernization. President Obama deserves credit for updating the nuclear modernization plan in such a significant way.

I have reviewed that so-called “1251 plan” completed November 17 of this year, which calls for spending \$85 billion over the next 10 years. I have visited our outdated nuclear weapons facilities. I am convinced the plan's implementation will make giant steps toward modernization of those facilities so that we—and our allies and adversaries—can be assured that the weapons will work if needed.

The President's statement that he will ask for these funds and the support of senior members of the Appropriations Committee means that the plan is more likely to become a reality. The President agrees that in tight budgets these funds should be considered as defense spending.

I ask unanimous consent to have printed in the RECORD a summary of the appropriations recommended by